In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 8867 of 2007

Date of Decision: 30.05.2007

Jaswinder Kaur

....Petitioner

Versus

State of Punjab and another.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice L.N. Mittal.

Present: Ms. Sonia G. Singh, Advocate
for the petitioner.

...

J.S. Khehar, J. (Oral).

The petitioner claims family pension under the policy instruction dated 7.1.1992, clarified by further policy instruction dated 19.4.1996, wherein it has been provided, that family pension should be released to the family members of missing government employee after one year of the registration of an FIR, asserting that the government employee is missing.

Despite the fact, that the aforesaid condition, depicted in the policy instruction, has been complied with and the petitioner made an application for release of family pension on 25.1.2006, no decision is stated to have been taken thereon till date. It is also pointed out, that the petitioner issued a legal notice on 1.2.2006, whereafter again no decision was taken by

the respondents.

Learned counsel for the petitioner states, that the petitioner will be satisfied, if the instant writ petition is disposed of with a direction to respondent No.3 i.e. the District Education Officer (Secondary), Sangrur, requiring him to take a final decision on the legal notice dated 1.2.2006 (Annexure P-4).

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition, by directing respondent No.3 i.e. the District Education Officer (Secondary), Sangrur, to take a final decision on the legal notice dated 1.2.2006 (Annexure P-4), by passing a well reasoned speaking order, within two months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to her within a further period of one month.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge.

(L.N. Mittal)
Judge.

30.05.2007
sk.